

# American River Basin: Antelope Creek Improvement Project

## Attachment 1: Authorization and Eligibility Requirements

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### Authorizing Documentation

The Placer County Flood Control and Water Conservation District (District) Board of Directors convened on February 14, 2011 and adopted Resolution No. 11-01, authorizing the Executive Director of the District to prepare and submit this Proposition (Prop) 1E Grant Application and to subsequently execute an agreement with the State of California for an Integrated Regional Water Management (IRWM) Stormwater Flood Management Grant. A copy of the executed resolution is included as an appendix to this attachment.

### Eligible Applicant Documentation

**1. Is the applicant a local agency as defined in the Appendix B of the Guidelines? Please explain.**

Placer County Flood Control and Water Conservation District was established in 1984 by the State Legislature as a Special District. Therefore, the District is a local agency as defined in Appendix B of the *Proposition 84 and 1E IRWM Guidelines*.

**2. What is the statutory or other legal authority under which the applicant was formed and is authorized to operate?**

The District was formed by legislative resolution on Senate Bill 1312 (Johnson), effective August 23, 1984; and as such, the District is authorized to operate as a Special District under California Government Code Section 16271. The District is supported through a cooperative effort by Placer County and the Cities of Auburn, Colfax, Lincoln, Rocklin, and Roseville and the Town of Loomis with the primary goal of reducing the effects of flooding in their jurisdiction.

**3. Does the applicant have legal authority to enter into a grant agreement with the State of California?**

The District is authorized under Section 16271 of the California Government Code to enter into a grant agreement with the State of California.

**4. Describe any legal agreements among partner agencies and/or organizations that ensure performance of the Proposal and tracking of funds.**

At present, the District and Placer County Water Agency (PCWA), their partner in the project, have entered into an agreement (a Memorandum of Understanding or MOU) to prepare and submit this Prop 1E grant application, with the District identified as the applicant or lead. If Prop 1E grant funding is

awarded, the District will enter into a separate MOU with PCWA for grant execution and project completion. This MOU will describe each agency's obligations to carry out the proposal and will authorize District staff to track any funds disbursed for their benefits in accordance with any accepted grant proposal. Additionally, the MOU will authorize the District to enter into an agreement with DWR on behalf of PCWA for the purposes of completing the proposed project. This MOU will ensure that both agencies are aware of, and will comply with, the awarded funding agreement to ensure performance of the Proposal.

## GWMP Compliance

The Antelope Creek Improvement Project does have the potential to impact the groundwater in a positive manner (primarily through the promotion of groundwater recharge). Further, the proposed project is covered under the *Western Placer County Groundwater Management Plan* (MWH, November 2007), which was completed in compliance with CWC § 10753.7. A copy of this groundwater management plan is included as part of this attachment. Further, both the District and PCWA have consented to be subject to the Western Placer County GWMP, and PCWA has formally adopted the plan.

## Compliance with CWC §83002.(b)(3)(B)

Both Placer County Flood Control and Water Conservation District and Placer County Water Agency lie within the American River Basin (ARB) IRWM Region. The ARB IRWM Region was accepted through the 2009 Regional Acceptance Process (RAP) as shown in Table 1 of the *Proposition 1E IRWM Grant Program – Proposal Solicitation Package for Stormwater Grants*. The ARB IRWM Plan was adopted in May 2006 (adopting resolutions are included in Attachment 2 of this Proposal). The Regional Water Authority, the regional agency authorized to develop and implement the ARB IRWM Plan, formally adopted the Plan on May 18, 2006. Because the Plan was adopted prior to September 30, 2008, it is not being submitted as part of Attachment 1.

## Consistency with an Adopted IRWM Plan

The Antelope Creek Flood Control and Water Quality Improvement Project was included in the adopted ARB IRWM Plan, however, the portion of the project relating to addressing the Clover Valley Reservoir was not included at that time. Only a few stormwater projects were included in the 2006 IRWMP; this reflects that plans necessarily modify to respond to changing conditions, and that there has been new thinking in planning resulting from the IRWM effort (i.e., progress is continually being made in integrated planning). At the time of adoption, the ARB IRWM Plan was silent on the process for adding projects to the Plan because it was assumed that the IRWM should always be a living document. Since no process was identified, a description of how the current project was identified is included in the following section. For the portion of the project included in this Proposal that was not included in the 2006 IRWM Plan, a description of how that part of the project was vetted through a public process is included.

## Process for Identifying the Projects in the Current Funding Application

On August 24, 2010, RWA released an open call for projects to a list of all known stakeholders at that time involved in the ARB IRWM Plan update. This list included 145 individuals representing more than 100

distinct local and state government agencies, non-governmental organizations, volunteer groups, and others. The e-mail and distribution list and a table showing those organizations that received this announcement are included with the supporting documentation in with this application (Att1\_SWF\_PAC\_Eligible\_2of3). This was followed by a public meeting on September 1, 2010 to explain how the planned update of the ARB IRWM Plan would continue while developing an implementation grant application and how to submit a project for the application. This meeting was attended by over 30 stakeholders. A list of attendees, the presentation, and the project input form are included in this application (Att1\_SWF\_PAC\_Eligible\_2of3).

In response to the August call for projects, RWA received 51 project descriptions. Staff developed a list of primary and other considerations based on criteria in the application to evaluate each of the projects. The list of considerations is included in this application (Att1\_SWF\_PAC\_Eligible\_2of3). Staff met with the ARB IRWM Advisory Committee to review project submittals on October 20<sup>th</sup>. Eight projects were pulled from consideration at the request of the project proponents prior to the meeting, so a total of 43 projects were considered. The Advisory Committee suggested that we divide the projects into tiers from 1 (those most highly recommended) to 4 (those not recommended to proceed with the current application). The Advisory Committee concurred on the Tier 1 projects. The committee recognized the merit of Tier 2 projects and advised staff to work with project proponents to determine which of these should move forward with the current effort. Tier 3 projects were seen as very unlikely to be included for this round of funding, but the committee advised staff to look at these projects again to determine if we were missing some potential benefit of the project. A listing of the projects and their initial tiers is included in this application (Att1\_SWF\_PAC\_Eligible\_2of3). Following the Advisory Committee meeting, staff worked with the projects in the highest tiers to identify a suite of projects to include in the implementation grant submittal. It is worth noting that two projects in Tier 1 withdrew during development of the application. On December 10<sup>th</sup>, the project proponent for a fish screen on Auburn Ravine at Pleasant Grove Canal requested to withdraw its project. That project is pursuing a different source of funding. On December 15<sup>th</sup>, the project proponent for a recycled water project in the Sunset Industrial area of Placer County requested to withdraw its project, citing policy issues that were unresolved.

In March of 2011, RWA staff again contacted regional stakeholders to identify potential projects for inclusion in a Proposition 1E IRWM Stormwater Flood Management Grant application. Projects identified were summarized and submitted to all known stakeholders in the IRWM process for consideration. The e-mail is included in this application (Att1\_SWF\_PAC\_Eligible\_2of3). Staff requested that any comments, concerns, or questions on the list of projects be submitted by Tuesday, April 12<sup>th</sup>. No comments on the projects were received, and the project was considered to be fully vetted and therefore considered consistent with the adopted IRWM Plan

## Authorizing Resolution

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BEFORE THE BOARD OF DIRECTORS  
PLACER COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

RESOLUTION NO. 11-01

A RESOLUTION DESIGNATING THE EXECUTIVE DIRECTOR THE AUTHORIZED REPRESENTATIVE TO PREPARE AND SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES

The following **RESOLUTION** was duly passed by the Board of Directors of the Placer County Flood Control at a regular meeting held **February 14, 2011** by the following vote on roll call:

Ayes: *Roccucci, Duran, Yorde, Buslin, Joiner, Hanley B*  
Noes: *Morillas*  
Absent: *Weygandt*

Signed and approved by me after its passage.

Attest: *Carrie Miller*  
District Secretary

*Paul Joiner*  
Chairman, Board of Directors

**WHEREAS**, Placer County Flood Control and Water Conservation District (District) wishes to submit a grant application under the State of California Department of Water Resources Proposition 1E Integrated Regional Water Management (IRWM) Stormwater Flood Management grant program; and

**WHEREAS**, the District shall serve in a lead agency role in preparation of a package of projects to be submitted from the American River Basin IRWM Region, including the District's and Placer County Water Agency's Antelope Creek water efficiency and flood control project and any other co-applicant projects;

**NOW, THEREFORE, BE IT RESOLVED** by the Placer County Flood Control and Water Conservation District Board that application be made to the California Department of Water resources to obtain Stormwater Flood Management grant funding pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Public Resource Code Section 5096.800 *et seq.*), and to enter into an agreement to receive a grant for the District's and Placer County Water Agency's, Antelope Creek water efficiency and flood control project and any other co-applicant projects. The Executive Director of the District is hereby authorized and directed to prepare the necessary data, conduct investigations, file such application and execute a grant agreement with the California Department of Water Resources. The Executive Director is also authorized to enter into cost sharing partnership agreements with any co-applicants.